

Council President

Richard M. Marchand

Council Vice President

Gail P. Feckley



Councillors-at-Large

John Dombrowski

Claire M. Freda

Susan Chalifoux Zephir

Thomas F. Ardinger

Ward Councillors

Ward 1 – Gail P. Feckley

Ward 2 – Pauline M. Cormier

Ward 3 – David R. Cormier

Ward 4 – Mark C. Bodanza

Ward 5 – Richard M. Marchand

MINUTES

CITY OF LEOMINSTER

CITY COUNCIL

FEBRUARY 25, 2019

JOHN P. MAHAN CITY COUNCIL CHAMBERS

PUBLIC HEARING, 6:10 P.M.

04-19 AN ORDINANCE

Amending Chapter 20 of the Revised Ordinance entitled “Streets and Sidewalks.”

Be it ordained by the City Council of the City of Leominster, as follows:

Section 20-10 of the Revised Ordinance entitled “Parades, Processions and Assemblies” is hereby amended rescinding the current text in its entirety and by inserting in its place the following: a new section, **SECTION 20-10. PARADE/RACES.**

(Regular Course 7/23/18; Granted 8/13/2018; Further Time 10/09/2018; 10/22/2018; 11/13/2018; 11/26/2018; 12/10/2018; 1/14/2019; 1/28/2019; 1ST Reading Adopted 2/11/2019; Public Hearing 2/25/2019 @ 6:10 P.M.; 2/3 Vote)

The public hearing was opened at 6:10PM. Councillor Dombrowski asked if anyone from the public would like to speak for or against the petition three times. No one spoke. The public hearing was closed at 6:12PM.

INFORMATIONAL SESSION WITH THE MAYOR, 6:15 P.M.

With Roger Brooks and Ray Racine regarding:

- Water and Sewer Update.
- Safety Valve insurance.

The Public Information Session with the Mayor began at 6:15PM. The Mayor informed the Council that Ray Racine and Roger Brooks, as well as representatives from Wright-Pierce Engineering, were there to talk about the current water situation and provide the council and the public with an update.

Rick Davey made a presentation to the Council and the public about the updates and corrective action plan that the City was working on to better control the situation at hand. He gave an update on the disinfection byproduct. He explained that chlorine interacts with organic matter and creates this byproduct known as DBP's. It is a natural reaction which creates high levels of HAA's and THM's. Currently the HAA's are the issue.

He cited that the total organic compounds, also known as TOC's last year would have been average except for one higher reading during an unusually rainy winter. This higher reading made it, so their average was higher, and caused the failure for testing.

The City and Wright-Pierce are working together with the Department of Environmental Protection (DEP) to form a corrective action plan that has short, mid, and long-term goals.

Short Term:

- Change from mix media to a carbon-based media

Mid Term

- Add Permanganate, which is preferred by the state
- Pilot an Actiflo Carbon Clarification Process

Long Term:

- Upgrade Fall Brook Water Treatment Plant
- Update clarification process at Notown Water Treatment Plant
- Develop Watershed Management Plan

Councillor Marchand asked if the City of Fitchburg's dump had anything to do with the high levels of TOC's when testing. Rick Davey informed the Council that he did not believe that was a cause. He emphasized that the issue is with the proximity of the shoreline and the trees in the area.

Councillor Freda asked if the State would allow us to cut trees down in the area. Mr. Davey informed the Council that they are discussing that with different State Departments.

Councillor Dombrowski asked how often testing takes place, and if it would be worth testing more due to the situation the City was experiencing. Mr. Davey explained that regular testing is taking place, as well as additional testing as needed. Mr. Davey also explained how active flow worked and informed the council that they would look into pre-treatment of water.

Councillor Feckley asked if runoff from Route 2 is a contributing factor to this issue. Mr. Davey explained it isn't the root cause, but turbidity and salt from the area does not help the situation.

Roger Brooks, informed the Councillors that the City has been working to make improvements for all of the Water Treatment Plants, and as some projects are finished being paid off, new ones can begin.

Ray Racine informed the Council that a private company named Safety Valve has insurance available for citizens to purchase. This insurance covers the part of the pipes, both water and sewer, that come from the main lines and run into the home. He informed the Council that he cannot endorse any company.

During the public hearing on water quality Councillor Chalifoux-Zephir asked the question about whether the water quality testing results from four different city locations were averaged as they have been in the past.

Mr. Daveys said that the results are no longer averaged. Results for each testing location met DEP's standards on their own.

PUBLIC FORUM, 6:45 P.M.

The public forum is an opportunity for any member of the audience to speak on a matter specifically listed on the Council Agenda. Speakers will be asked to come to the microphone and state their formal name and address along with identifying the specific item(s) they wish to address. Each speaker is respectfully asked to keep their comments within a two (2) minute timeframe. The Council will not be responding or answering any questions; however, at the discretion of the Council President, clarification may be given.

Henry Frye, 24 Dartmouth Street, spoke against petition 24-19. He felt that it was too vague and was against it outlawing commercial vehicles.

Nicholas Preville, 127 Spruce Street, spoke against petition 24-19, he felt it was overreaching and unnecessary. He felt that the current zoning was restrictive enough and asked that if something similar were to go forward, that the parties proposing such a petition would talk to small business owners in the area.

Jeff Richard, 47 Leland Ave, spoke against petition 24-19.

INTERVIEW, 6:50 P.M.

A measure confirming the Mayor's Appointment of **Anthony McCauliff** to the Office of Emergency Management – EMS Unit; Volunteer (*Regular Course 2/11/2019; Majority Vote*)

The interview for the appointment of Anthony McCauliff was postponed to March 4, 2019.

I. REGULAR MEETING OF THE CITY COUNCIL, 7:00 P.M.

The regular meeting of the City Council opened at 7:00 PM. Councillor Freda made a motion to recess, Councillor Chalifoux Zephir seconded the motion, the motion carried unanimously.

II. ROLL CALL OF COUNCILLORS IN ATTENDANCE

III. Councillor Richard Marchand, Councillor Claire Freda, Councillor John Dombrowski, Councillor Susan Challifoux Zephir, Councillor Mark Bodanza, Councillor Thomas Ardinger, Councillor Pauline Cormier, Councillor David Cormier, Councillor Gail Feckley were in attendance.

IV. Others Present: Katelyn Huffman, City Clerk and Titi Siriphan, Assistant City Clerk.

V. APPROVAL OF RECORDS PRESENTED BY THE VICE PRESIDENT

February 11, 2019 Minutes – **These minutes were approved as amended.**

VI. COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

A measure confirming the Mayor's Appointment of **Amanda Lansing** to the Conservation Commission; term to expire 4/15/2022. (*Way & Means; Majority Vote*)

The Ways and Means Committee gave this appointment regular course and asked that Amanda Lansing be brought down to the next meeting for an interview.

ORDERS

C-48 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$29,870.00 to the Emergency Management Expense Account; same amount to be transferred from the Stabilization Fund. (*Finance; 2/3 Vote*)

This communication was given regular course.

C-49 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$80,000.00 to the Assessor's Revaluation Expense Account; same amount to be transferred from the Stabilization Fund. (*Finance; 2/3 Vote*)
RE: \$65,000.00 – Assessor's Property Revaluation

\$15,000.00 - Aerial Imagery Project
\$80,000.00

This communication was given regular course.

C-50 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$81,000.00 to the Highway Expense Account; same amount to be transferred from the Stabilization Fund. (*Finance; 2/3 Vote*)

This communication was given regular course.

C-51 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$53,000.00 to the Sanitation & Drainage Expense Account; same amount to be transferred from the Stabilization Fund. (*Finance; 2/3 Vote*)

This communication was given regular course.

VII. PETITIONS – FIRST TIME ON THE CALENDAR

25-19 Gregory C. Chapdelaine, Purchasing Agent, and Paula Deacon, Superintendent of Schools: Request to allow the Purchasing Agent to award a contract for Information Technology Managed Services for a four-year period, on behalf of the School Department. (*Finance; Majority Vote*)

This petition was given regular course. A referral was requested from the School Department and the purchasing agent.

26-19 Wendy Wiiks, Grants Administrator: Request a letter of support from the Leominster City Council for the Municipal Vulnerability Preparedness Community (MVP) Program. (*Ways & Means; Majority Vote*)

This petition was given regular course. The City Council voted by a vote of 9-0 to have Wendy Wiiks, Grant Administrator, down to the next meeting to explain more about this program.

27-19 Mark C. Bodanza, Esq.: To amend Section 13-77, Stop Signs, of the Leominster Municipal Code, by adding a stop sign for north bound traffic on Cro Shee Lane at the intersection of Woodside Avenue. (*Legal Affairs; 2/3 Vote*)

This petition was given regular course.

28-19 Mark C. Bodanza, Esq.: To amend Section 13-77, Stop Signs, of the Leominster Municipal Code, by adding a stop sign for north bound traffic on Old Brook Road at the intersection of Woodside Avenue. *(Legal Affairs; 2/3 Vote)*

This petition was given regular course.

29-19 David R. Cormier: Install a stop sign on Hawthorne Road against southbound drivers at Grant Street. *(Legal Affairs; 2/3 Vote)*

This petition was given regular course.

30-19 David R. Cormier: Install a stop sign on Hawthorne Road against northbound drivers at Queens Road. *(Legal Affairs; 2/3 Vote)*

This petition was given regular course.

31-19 David R. Cormier: Install a stop sign on Iris Road against northeast bound drivers at Grant Street. *(Legal Affairs; 2/3 Vote)*

This petition was given regular course.

32-19 Katelyn Huffman, City Clerk: Request to amend the current \$15.00 marriage intention application fee to the new proposed fee of \$25.00. This fee would be effective as of July 1, 2019. *(Legal Affairs; 2/3 Vote)*

This petition was given regular course.

33-19 Katelyn Huffman, City Clerk: Request to amend the revised ordinances Chapter 12, Article 1 Section 12-2, #52 Dog Licenses: to include a new fee to read "Service Dogs – No Fee." *(Legal Affairs; 2/3 Vote)*

This petition was given regular course.

34-19 Katelyn Huffman, City Clerk: Request to amend the revised ordinances Chapter 2 Article 2 Section 2-9 letter P. *See enclosure (Legal Affairs; 2/3 Vote)*

This petition was given regular course. The City Council requested a referral from the Mayor.

VIII. MATTERS BEFORE THE CITY COUNCIL

IX. CITY OF LEOMINSTER – FINANCIAL REPORT

The balance of the stabilization account was \$16,831,659.40.

X. FINANCE

C-47 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$250,000.00 to the Snow & Ice Expense Account; same amount to be transferred from the Stabilization Fund. *(Regular Course 2/11/2019; 2/3 Vote).*

The Finance Committee recommended that this communication be granted. Vote 9-0 the communication was granted.

ORDERED: By a vote of 9-0 the communication was ADOPTED.

XI. LEGAL AFFAIRS

20-19 Elizabeth Wood, Planning & Development Director: To amend the Zoning Ordinance accordingly: Remove the section of Article XIII 22-71.1 that states "...Signs may not extend above the building's roofline and/or the wall upon which the sign is located." This contradicts section 22-71.9.1 that covers sign height and states that a sign may extend eight feet above the roof line. *(Regular Course 1/14/2019; Further Time 1/28/2019; 2/11/2019; 2/3 Vote)*

The Legal Affairs Committee recommended that this petition be given further time. By a vote of 9-0 this petition was given further time.

24-19 Susan Chalifoux-Zephir, Councillor at Large, Gail Feckley, Ward 1 Councillor, and Peter Niall, Building Inspector: Amend the Leominster Zoning Ordinance as follows:

Section 22-16.2.5 to read: "One commercial vehicle with gross weight under 10,000 pounds may be stored or parked outdoors on a lot provided that such storage or parking area is substantially screened".

And

Section 22-15. Penalty to read: “A violation of the zoning ordinance is punishable by a fine of not more than \$300 per vehicle per violation; provided that each day such violation constitutes a separate offense.”
*(Regular Course 2/11/2019; Pending Referrals Building, Planning, Mayor, ZBA; 2/3 Vote) *Leave to withdraw letter by petitioners on file.*

This petition was brought to the front of the Regular City Council Meeting. The Legal Affairs Committee recommended that the petition be given leave to withdraw without prejudice. Vote: 7-2 (Councillor Freda Councillor Ardinger, NAY) the petition was given LEAVE TO WITHDRAW WITHOUT PREJUDICE.

XII. WAYS AND MEANS AND VETERANS AFFAIRS COMMITTEE

A measure confirming the Mayor’s Appointment to the **Leominster Police Department Building Committee:** *(Regular Course 2/11/2019; Amendment submitted 2/14/2019; Majority Vote)*

Mayor Dean Mazarella	Kelly Gammell
Councillor Claire Freda	Wendy Wiiks
Chief Michael Goldman	Greg Chapdelaine
Lt. Mark Amico	William Mitchell
Sgt. Daniel Proietti	James Whitney
Patrolman Daniel Contois	Henry Frye
Patrolman Michael Wing	Patrick McCarty
Robert Grudziecki	James Lanciani

Councillor Feckley made a motion to amend the appointment to also include Robert Grudziecki and James Lanciani. Councillor Cormier seconded the motion. The motion carried unanimously.

The Ways and Means Committee recommended that the measure confirming the Mayor’s appointments to the Leominster Police Department Building Committee be confirmed. Vote: 9-0. The appointments were CONFIRMED.

A measure confirming the Mayor’s Appointment of **Anthony McCauliff** to the Office of Emergency Management – EMS Unit; Volunteer *(Regular Course 2/11/2019; Majority Vote)*

The Ways and Means Committee recommended that this appointment be given further time. Vote: 9-0 the appointment was given further time.

XIII. NEW BUSINESS

Councillor Feckley informed the Council that it would be prudent to stay in contact with the City of Fitchburg about the expansion of their municipal airport.

XIV. OLD BUSINESS

- C-38 **2nd Reading Order of Layout and Order of Taking of Duggan Drive and Comstock Road as Public Ways.** Refer to enclosures.
(Regular Course 1/14/2019; Further Time 1/28/2019; 1st Reading Adopted 2/11/2019; Majority Vote).

Councillor Dombrowski read the Order of Layout and the Order of Taking for a second time. The Legal Affairs Committee recommended that the City Council grant the Order of Layout and the Order of Taking.

Order of Taking

Roll Call Vote – 9-0 the order of taking was adopted.

Order of Layout

Roll Call Vote – 9-0 the order of layout was adopted.

- 04-19 **2nd Reading Ordinance** – AN ORDINANCE
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Councillor Dombrowski read the ordinance for a second time. The Legal Affairs Committee recommended that the City Council adopt the second reading of the ordinance.

Vote: 9-0 the second reading of the ordinance was ADOPTED.

XV. COMMUNITY CALENDAR

- **Registration for the Spring and Summer Recreation Programs is open to the public.**

XVI. ADJOURNMENT

The meeting adjourned at 8:15PM.

Minutes Respectfully Submitted By:

Katelyn Huffman, City Clerk